

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

NICK MACKIE,

Plaintiff,

v.

**KAREN G. MILLS, Administrator of the
Small Business Administration, et al.,**

Defendants.

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Civil No. 3:13-CV-2328-N-BK

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. No objections were filed. The District Court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the Court ACCEPTS the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

It is ORDERED, ADJUDGED, AND DECREED that Defendant Karen G. Mills' *Motion to Dismiss Mackie's Complaint for Lack of Jurisdiction, or, Alternatively, for Failure to State a Claim* [Doc. 14] is **DENIED**. Furthermore, Mackie's request for leave to dismiss without prejudice his claim regarding the \$17,550.00 income tax overpayment intercepted by Treasury is hereby **GRANTED**.

SO ORDERED this 11th day of July, 2014.


UNITED STATES DISTRICT JUDGE